

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Anna SOROKIN,

Petitioner,

- against -

Carl E. DUBOIS, *et al.*,

Respondents.

**No. 21 Civ. 9452 (JMF)**

**STIPULATION AND  
[PROPOSED] ORDER**

WHEREAS, petitioner Anna Sorokin (“the petitioner”) filed a habeas petition in this Court on November 15, 2021, challenging the bond hearing that the government had stipulated to provide under 8 U.S.C. § 1226(a) and also seeking an order from the Court requiring that she be released or given a bond hearing with certain criteria;

WHEREAS, on June 15, 2021, an immigration judge denied the petitioner’s applications for relief from removal and ordered her removed from the United States to Germany;

WHEREAS, on October 21, 2021, the Board of Immigration Appeals (“BIA”), dismissed the petitioner’s appeal from the immigration judge’s June 15, 2021 decision, which rendered her removal order administratively final;

WHEREAS, on November 29, 2021, the petitioner filed a request for the BIA to re-issue its October 21, 2021 decision on the basis that her attorney allegedly received the BIA decision after the time to appeal to the Second Circuit had expired and to issue a stay of removal while the BIA request remained pending;

WHEREAS, on November 30, 2021, the BIA granted a stay of removal pending its consideration of the petitioner’s motion to re-issue;

WHEREAS, given the above developments, on December 2, 2021, at the parties' request, this Court stayed the habeas matter pending the BIA's decision on the petitioner's motion to re-issue;

WHEREAS, on February 17, 2022, the BIA denied the petitioner's motion to re-issue its October 21, 2021 decision and withdrew the stay of removal that it had previously granted;

WHEREAS, the parties agree that as of October 21, 2021, the petitioner was no longer detained under 8 U.S.C. § 1226(a), the pre-removal-order detention statute, but instead was detained under 8 U.S.C. § 1231(a), the post-removal-order detention statute;<sup>1</sup>

WHEREAS, the parties agree that the petitioner's challenge to pre-removal-order detention became moot after the authority for detention shifted to the post-order statute; and

WHEREAS, the petitioner's counsel has represented that the petitioner has now requested that the undersigned counsel for the petitioner continue to represent her in this habeas matter;

THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, that this action shall be and hereby is dismissed without prejudice and without costs or attorney's fees to either party.

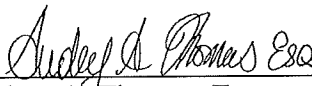
[rest of page intentionally left blank]

---

<sup>1</sup> Sorokin filed a Petition for Review with the Second Circuit on March 15, 2022, and a motion for a stay of removal with the Second Circuit on March 23, 2022. As of today's date, both are pending.

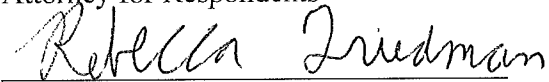
Rosedale, New York  
March 28, 2022

THE LAW OFFICE OF  
AUDREY THOMAS PLLC  
Attorney for Petitioner

  
\_\_\_\_\_  
Audrey A. Thomas, Esq.  
245-07 Francis Lewis Boulevard  
Rosedale, New York 11422  
Tel. (718) 276-2729

New York, New York  
March 21, 2022

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York  
Attorney for Respondents

  
\_\_\_\_\_  
Rebecca R. Friedman, Esq.  
Assistant United States Attorney  
86 Chambers Street, 3rd Floor  
New York, New York 10007  
Tel. (212) 637-2614

SO ORDERED:

\_\_\_\_\_  
HON. JESSE M. FURMAN  
UNITED STATES DISTRICT JUDGE